

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

JOSEPH G. DuMOUCHELLE and
MELINDA J. ADDUCCI,
Debtors.

Case No. 19-54531
Chapter 7
Hon. Lisa S. Gretchko

THOMAS RITTER,
Plaintiff,

Adv. Pro. No. 20-04381
Hon. Lisa S. Gretchko

v.

JOSEPH G. DuMOUCHELLE and
MELINDA J. ADDUCCI,
Defendants.

**ORDER TO SHOW CAUSE WHY THE NATURE OF THIS ADVERSARY
PROCEEDING SHOULD NOT BE CORRECTED TO DELETE ANY
REFERENCE TO 11 U.S.C. § 727**

On September 22, 2020, Thomas Ritter (“Plaintiff”) commenced this adversary proceeding by filing a Complaint to Determine Nondischargeability of Indebtedness Under 11 U.S.C § 523 (“Initial Complaint”; ECF No. 1). When the Initial Complaint was filed, Plaintiff indicated in the ‘nature of suit’ category that the cause of action involved one or more claims under 11 U.S.C. § 727(c), (d) and (e).

On October 21, 2022, Plaintiff filed a First Amended Complaint to Determine Nondischargeability of Indebtedness Under 11 U.S.C. § 523 (“First Amended Complaint”; ECF No. 54). Plaintiff amended his complaint again on March 6, 2023 (“Second Amended Complaint”; ECF No. 91).

The Court has reviewed the Initial Complaint, the First Amended Complaint and the Second Amended Complaint and finds no request for relief under any subsection of 11 U.S.C. § 727. Moreover, in Plaintiff’s motions for reconsideration (“Motions for Reconsideration”; ECF Nos. 122 and 123) filed on July 31, 2023, Plaintiff states “Plaintiff chose to pursue his § 523 claims and relied on the United States Trustee to bring a discharge action pursuant to § 727”. (See ECF pages 7-8 of the Motions for Reconsideration).

IT IS HEREBY ORDERED that an in-person hearing will be held on Friday, **August 11, 2023 at 10:00 a.m.** (“Show Cause Hearing”) before the Honorable Lisa S. Gretchko, Courtroom 1975, United States Bankruptcy Court, 211 West Fort Street, Detroit, Michigan 48226, for Plaintiff to show cause why an order should not be issued requiring the Clerk’s Office to change the nature of this adversary proceeding to remove any reference to 11 U.S.C. § 727. **Subject to the last paragraph of this Order, Plaintiff’s counsel must attend the in-person Show Cause Hearing.**

IT IS FURTHER ORDERED that if Plaintiff and Defendants stipulate to the entry of an order requesting the Clerk's Office to change the nature of this adversary proceeding to remove any reference to 11 U.S.C. § 727, they shall file a stipulation and proposed order with the Court to that effect on or before August 9, 2023, and shall immediately upload the proposed stipulated order, and Plaintiff's counsel shall immediately notify the Courtroom Deputy, Cheryl London. Upon the Court's entry of such a stipulated order (if any), Plaintiff's counsel shall be released from having to appear at the Show Cause Hearing and the Show Cause Hearing will be cancelled.

Signed on August 2, 2023



/s/ Lisa S. Gretchko

Lisa S. Gretchko
United States Bankruptcy Judge